UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

December 19, 2006

No. 05-4735

UNITED STATES OF AMERICA

JOHN H. COOLEY, Appellant (W.D. of P.A. Criminal No. 02-cr-00040E)

Present: SMITH, WEIS, and NYGAARD, <u>CIRCUIT JUDGES</u>.

1. Motion by Appellant for Extension of Time to File Petition for Rehearing Which the Court May Also Wish to Construe as a Motion to File Petition For Rehearing Out of Time and to Recall the Mandate.

Opinion & Judgment entered 11/08/06

Mandate issued 11/30/06

ORDER

The foregoing motion is GRANTED.

By the Court,

s/WEIS

United States Circuit Judge

DATED: April 10, 2007 CRG/cc: EGM, LSI, MLI

